

## REMARKS

### Introduction

Claims 1-15 are pending in the application, of which claims 1, 5, and 9 are independent. Claims 1, 5, and 9 are amended. Claims 14 and 15 are new. Applicant respectfully requests reconsideration of the application in light of the present amendments and remarks.

### Office Action Did Not Address Each Argument of Applicant

Applicant asserts that Office Action did not address the arguments presented in the amendment filed on April 4, 2007, with regards to claims 9-13. Office Action states on page 6 that Applicant's arguments are moot in view of the new grounds for rejection. Applicant disagrees. Applicant presented arguments for claim 9 that the primary reference Menninger did not teach or suggest all the elements that Office Action stated. In particular, that Menninger neither teaches nor suggests changing a form element under development. Office Action has reasserted this same rejection without responding to Applicant's arguments. Applicant respectfully requests that the arguments presented below under §103 rejections be addressed.

### Claim Amendments

Support for new claims 14 and 15 can be found at least at ¶ 30, lines 11-15. Support for amendments to claims 1, 5, and 9 can be found at least at ¶ 30, line 9, and ¶ 10 , lines 3-4. Applicant asserts that no new matter has been added in the amendments to the claims.

### § 102 Rejections: Claims 1-8

Claims 1-8 are rejected under 35 U.S.C. § 102(a) as being anticipated by Ries et al., US Pat. Pub. 2004/0217985 ("Ries"). Applicant respectfully traverses these rejections.

Consider a first portion of amended claim 1:

the form building application configured to *display the set of form elements separate from the form, ...*

to enable *access to a subset of the form elements* according to authorization rules;

Office Action states on page 3 that claim 1 is disclosed by Ries. Applicant respectfully disagrees. The access restriction in Ries is based on hooks. The "hook identifies the start and

end point of an editable portion of a web page." (Ries, ¶ 57, Lines:12-13). And, "allowing editing clients access to only certain hook types." (Ries, ¶ 73, Lines 13-15). And, "a hook is created to identify an editable portion of the webpage." (Ries, ¶ 72, Lines 5-7). So, the access restriction in Ries is based on the physical area of the webpage. (Ries, ¶¶ 57 and 73, and compare Fig. 9 to Fig. 10). But, in the invention of amended claim 1, "the form building application configured to display the set of form elements separate from the form," and a user gains "access to a subset of the form elements according to authorization rules." (Amended Claim 1). So, access in the invention of amended claim 1 is to "form elements" not a physical area of a webpage as in Ries. And, in amended claim 1 "form building application configured to display the set of form elements separate from the form." In Ries since the authorization is based on hooks embedded in the webpage the parts of the webpage are displayed with the webpage. (Ries, Fig. 10). The present invention has at least the advantage that a user could be given access to a form element such as an address field and then place the address field in any geographic area of the form. In Ries, a user would have to be given access to the specific geographic area where the user would like to place the address field in order to be able to edit the address field. (Ries, ¶¶ 57, 73). Applicant further notes that the advanced editing functions of Ries allow only that a user may be given access to all hooks of a particular type so that the advanced editing functions are still based on the geographical area of the webpage and not the "form elements" of claim 1. (Ries, ¶ 73). Therefore, Ries does not teach or suggest the amended claim 1 elements of "the form building application configured to display the set of form elements separate from the form" and "to enable access to a subset of the form elements according to authorization rules."

Further, consider a second portion of amended claim 1:

including *global attributes* of the form including the layout of the form

Applicant respectfully submits that Ries does not disclose this element of amended claim 1. In Ries the layout of the webpage is determined by placing hooks for "editable areas within a webpage." (Ries, ¶ 57, Line 8). In the invention of amended claim 1, a form element representing permission to control the layout of the form could be selected and authorization given to a user. This is simple not possible in Ries which bases authorization on geographical

areas of the webpage. Therefore, Ries does not teach or suggest "including global attributes of the from including the layout of the form." For at least these reasons, Ries does not teach or suggest the elements of amended claim 1.

Because dependent claims 2-4 depend from and further limit independent claim 1, Applicant respectfully submits that for at least the same reason as for claim 1 that Ries does not anticipate claims 2-4.

Further, consider a first portion of amended claim 5:

displaying the set of form elements separate from the form, ...

enabling access to the user for developing a subset of the form elements according to the authorization rules;

Office Action states on page 3 that claim 5 is disclosed by Ries. Applicant respectfully disagrees. As stated above for claim 1, Ries cannot perform the steps of "displaying the set of form elements separate from the form" and "enabling access to the user for developing a subset of the form elements."

Consider a second portion of amended claim 5:

the form elements including global attributes of the form including the layout of the form

As discussed above, in Ries this is simply not possible. Therefore, claim 5 is not disclosed or suggested by Ries. Because dependent claims 6-8 depend from and further limit independent claim 5, Applicant respectfully submits that for at least the same reason as for claim 5 that Ries does not anticipate claims 6-8.

### **§ 103 Rejections: Claims 9-13**

Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menninger U.S. Pat. Pub. No. 2003/0048301 A1 ("Menninger") in view of Ries. Applicant respectfully traverses these rejections.

Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness because Menninger neither teaches nor suggests changing a form element under development.

Consider a first portion of amended claim 9:

responsive to a command by a user to *change an element of the form under development*

Menninger fails to teach or suggest changing an element of a form under development as claimed. For example, Menninger is cited at ¶ 1858 for providing a GUI that allows a user to select checkboxes (FIG. 167), press a button (FIG. 168) and select items from a drop-down list (FIG. 169). However, the GUI of Menninger is provided to allow users to interact with *already developed* GUI elements (e.g., checkboxes, button, drop-down list), not form elements that are themselves *under development* as claimed.

Further, consider a second portion of amended claim 9:

the form elements including global attributes of the electronic form including the layout of the electronic form

As discussed above, in Ries this is simple not possible. Therefore, claim 9 is not disclosed or suggested by Ries.

Accordingly, for at least this reason, independent claim 9, along with its respective dependent claims 10-13, are not rendered obvious under 35 U.S.C. § 103(a).

**PATENT**  
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Appl'n No.: 10/665,258  
Attorney Docket No. 11884/400301  
Response to Final Office Action mailed July 3, 2007

**CONCLUSION**

It is respectfully submitted that, in view of the foregoing amendments and remarks, the Application is in condition for allowance. Issuance of a Notice of Allowance is earnestly solicited.

Although not believed necessary, the Office is hereby authorized to charge any additional fees required in connection with this response or credit any overpayments to Kenyon & Kenyon LLP's Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 202-220-4228 to discuss any matter regarding this application.

Respectfully submitted,



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Dated: October 10, 2007

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